

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ASSOCIATION OF EGYPTIAN-AMERICAN
SCHOLARS, INC., MOHAMED ATTALLA,
MOHAMED HEGAB, ALY MANSOUR,

ORDER

Plaintiffs,

09-cv-772-bbc

v.

LOFTI GERIESH and
MAHMOUD FAWZY WAGDY,

Defendants.

An evidentiary hearing was held in this case on July 29, 2010. Plaintiffs were represented by Alexander Memmen; plaintiff Mohamed Attalla was present in person. Counsel for defendant Wagdy participated by telephone.

After hearing the evidence presented by plaintiffs, which consisted primarily of testimony by plaintiff Attalla, I found that plaintiffs had failed to show any basis on which this court could exercise personal jurisdiction over defendant Wagdy. Plaintiffs' theory was that he was subject to jurisdiction under Wis. Stat. § 801.05(8), which allows courts in this state to exercise personal jurisdiction over any person who is or was an officer, director or

manager of a domestic corporation, that is, one incorporated in Wisconsin, but they were unable to prove either that the Association of Egyptian-American Scholars is a domestic corporation or that defendant Wagdy was an officer of the corporation.

Plaintiffs produced a copy of a document purported to be from the Wisconsin Department of Financial Institutions, but it was only a copy; it was not authenticated or attested to at the hearing by a custodian of the records of the department. Fed. R. Evid. §§ 901(7) and 902(4). Plaintiffs did produce some evidence that defendant Wagdy had held himself out as a vice president of the association, but this evidence was insufficient without proof that the association was a Wisconsin corporation and that Wagdy was listed as an officer or director of the corporation.

The complaint will be dismissed as against defendant Wagdy. As to defendant Geriesh, who has not been served in the seven months since the complaint was filed, I will grant plaintiffs' motion for an extension of time for service, but will limit it to one month.

ORDER

IT IS ORDERED that defendant Mahmoud Fawzy Wagdy's motion to dismiss the complaint of the Association of Egyptian-American Scholars, Inc., Mohammed Attalla, Mohamed Hegab and Aly Mansour is GRANTED and the complaint is DISMISSED as to defendant Wagdy.

FURTHER, IT IS ORDERED that plaintiffs' motion for an extension of time in which to accomplish service on defendant Lofti Geriesh is GRANTED; plaintiffs may have until August 29, 2010 to serve this defendant.

Entered this 30th day of July, 2010.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge